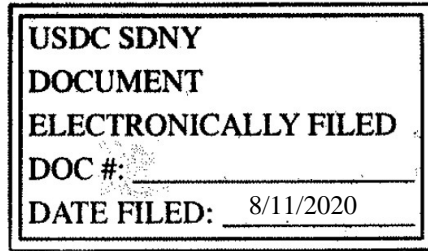


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
:
ECOGENSUS LLC, VIKINGPEAK ENERGY :
FUELS LLC, VIKINGPEAK MANAGEMENT :
COMPANY, LLC, VIKINGPEAK CAPITAL :
GROUP LLC and BJØRNULF ØSTVIK, :
:

Plaintiffs, :

-against- :

MATTHEW PACELLA, MICHAEL M. :
MELNIK, JAY EDELSON, BENJAMIN :
RICHMAN and EDELSON PC., :
:

Defendants. :
:
-----X

20-CV-3629 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

On July 31, 2020, Defendant Matthew Pacella filed a motion to compel arbitration or dismiss the complaint pursuant to the Federal Arbitration and Federal Rules of Civil Procedure 12(b)(1), 12(b)(2), 12(b)(6) and 9(b). (Doc. 41.) On the same day, Defendants Edelson PC, Jay Edelson, and Benjamin Richman filed a motion to dismiss the complaint pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(2), and 12(b)(6). (Doc. 58.) On August 5, 2020, Defendant Michael Melnik also filed a motion to dismiss the complaint pursuant to Federal Rules of Civil Procedure 12(b)(2), 12(b)(6) and 9(b). (Doc. 65.) Under Federal Rule of Civil Procedure 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby:


ORDERED that Plaintiffs shall file any amended complaint by August 26, 2020. It is unlikely that Plaintiffs will have a further opportunity to amend.

IT IS FURTHER ORDERED that if no amended complaint is filed, Plaintiffs shall serve

any opposition to the motions to dismiss by September 4, 2020. Defendants' replies, if any, shall be served by September 18, 2020. At the time any reply is served, the moving party shall supply Chambers with two courtesy copies of all motion papers pursuant to my Individual Rules by mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York.

SO ORDERED.

Dated: August 11, 2020
New York, New York



Vernon S. Broderick
United States District Judge